

EXHIBIT

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FXCM, Inc., FXCM, Effex Capital, LLC - FCM

Kochel, Alexander_2016-05-05

Condensed Transcript

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1 Alexander Kochel
 2 A. It might be. It was not 2009 and it
 3 was not 2016 so.
 4 Q. Was there a change in the
 5 relationship between FXCM and Effex around that
 6 time, that you are aware of?
 7 A. I don't know. What time was it?
 8 No, I don't recall, no.
 9 Q. Was there --
 10 A. Relationship between FXCM and Effex?
 11 Q. Yes.
 12 A. I don't know. The only change in
 13 the relationship that I observed, I was asked to
 14 move back to FXCM office. From that I inferred
 15 that something changed.
 16 Q. So --
 17 A. That's all I know about changes.
 18 Q. Let's talk a little more about that.
 19 So when you say, "move back to the FXCM office,"
 20 were you working full-time at the Effex office?
 21 A. I think I was spending like four
 22 days a week in the Effex office.
 23 Q. Starting when?
 24 A. So like all the time, and I was in
 25 FXCM I think like once a week. I don't

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1 Alexander Kochel
 2 remember. Starting when?
 3 Q. Yes, when did you start working at
 4 the Effex office?
 5 A. I think when they moved -- not right
 6 away, but some point after they moved to Jersey
 7 City. Maybe -- I don't remember, was it same
 8 day, months, but in some period of time.
 9 Q. And from the time that you started
 10 working there, you know, shortly after they
 11 moved to Jersey City, until the time that you
 12 were told to stop going there, you were working
 13 at Jersey City most of the time?
 14 A. Yes.
 15 Q. But you were an FXCM employee
 16 throughout the time?
 17 A. Yes.
 18 Q. How did your job responsibilities
 19 change, first of all, from the time that you
 20 first moved, that you first started working at
 21 the Effex office in Jersey City, how did that
 22 job change your responsibilities?
 23 A. Not much. I think still the same
 24 project I was working on.
 25 Q. You were working on the same

1 Alexander Kochel
 2 projects for FXCM, you were just doing them from
 3 the Effex office?
 4 A. At that time I was working -- yes,
 5 same, just from the office.
 6 Q. Working on FXCM's adapter for Effex?
 7 A. Yes. Integration, get bunch of
 8 adapter, bunch of different streams like
 9 customized for different flavors. I don't know.
 10 But at that time it was only five or six
 11 adapters, and FXCM system was also quite young
 12 and there were like new updates, and new updates
 13 would change something and it will screw up
 14 something. So it was work to keep up with
 15 changes in FXCM for integration.
 16 Q. And that's the work you were doing
 17 from FXCM's office and the same work you were
 18 doing, you were just doing it in a different
 19 location?
 20 A. Yes, like it was FXCM office sitting
 21 next to Dittami; Dittami moved to different
 22 office and I moved to different office too, but
 23 work was the same.
 24 Q. Can you describe, when you moved to
 25 the Jersey City office four days a week, how did

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1 Alexander Kochel
 2 you access the FXCM systems that you had to
 3 access in order to do your job from the Jersey
 4 City office?
 5 A. I think it was VPN. I don't
 6 remember but I think, yeah, VPN.
 7 Q. So you would VPN onto your FXCM
 8 desktop?
 9 A. If I need to, but all the work is on
 10 servers, data center, so VPN to the office.
 11 Because all the development environment it's all
 12 in the servers and data center, so just set up
 13 VPN and go to the server.
 14 Q. So were Effex and FXCM sharing a
 15 server at that time?
 16 A. Not sharing. It was like from the
 17 very beginning when they were at FXCM, to handle
 18 that FXCM flow, there was the time is whatever,
 19 server is named EES, was separate server. And
 20 that server was located in the same data center
 21 that FXCM owns.
 22 BY MR. DALY:
 23 Q. The data center that you just
 24 mentioned, where was that located?
 25 A. I never been there. But that's